

Message Text

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PAGE 01 STATE 086671
ORIGIN EB-02

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DRAFTED BY EB/TCA/MA:CTAYLOR, JR.:EW
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FM SECSTATE WASHDC
TO USMISSION GENEVA

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FOR R.K. BANK, USED, UNCTAD SHIPPING COMMITTEE

FOL REPEAT HAMBURG 424 ACTION SECSTATE LONDON INFO OTTAWA
CAIRO PRAIS BONN ATHENS ROME TOKYO MONROVIA OSLO ISLAMABAD
MADRID MOSCOW BELGRADE DTD 15 APR.

QUOTE

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LONDON FOR ATTENTION USDEL TO MSC

EO 11652: N/A
TAGS: SENV IMCO
SUBJECT: ADMINISTRATIVE INITIATIVE ON MARINE OIL POLLUTION

REF: (A) STATE 02056, (B) HAMBURG 407, (C) STATE 6671,
(D) STATE 83929 (NOTOL)

1. AT REQUEST OF AMEMBASSY BONN ECONOMIC/COMMERCIAL
OFFICER PRESENTED TEXTS CONTAINED IN REFTEL (A) TO AP-
PROPRIATE OFFICIAL AT THE SEA TRANSPORT DIVISION, FEDERAL
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TRANSPORTATION MINISTRY ON APRIL 14.

2. AT THE SAME TIME ECONOMIC/COMMERCIAL OFFICER MET WITH
DR. BREUER AND TEAM OF MARITIME EXPERTS FOR FOLLOWUP TO PRE-
SENTATION OF ADMINISTRATION TALKING POINTS CONTAINED IN REFTEL
(C). DURING HOUR-LONG SESSION, DR. BREUER AND HIS GROUP
PRESENTED DETAILED OPINIONS WHICH, HE STRESSED, ARE THOSE OF

THE SEA TRANSPORT DIVISION ONLY. FOLLOWING SUBPARAGRAPHS ARE KEYED TO THE TEXT OF THE PRESIDENT'S MARCH 17 MESSAGE TO CONGRESS:

(A) RATIFICATION OF 1973 CONVENTION: DR. BREUER AGREES WITH THE DESIRABILITY OF RATIFYING THIS CONVENTION BUT IS TROUBLED BY ANNEX II THEREOF, WHICH DEALS WITH DISCHARGING RESIDUE INTO THE OCEAN. HE BELIEVES NO ALTERNATIVE TECHNOLOGY IS PRESENTLY AVAILABLE AND HOPES A SOLUTION TO HIS CONCERNS ABOUT ANNEX II CAN BE FOUND, WHETHER BY FILING A RESERVATION OF THROUGH OTHER MEANS.

(B) REFORM OF SHIP CONSTRUCTION AND EQUIPMENT STANDARDS:

(1) AS A GENERAL COMMENT, DR. BREUER SAID THAT MOST ACCIDENTS OFF THE US COAST HAVE INVOLVED LIBERIAN TANKERS. HE FEELS THAT, WHILE NEW LIBERIAN SHIPS ARE WELL CONSTRUCTED AND IN GOOD CONDITION, THE OLDER LIBERIAN TANKERS ARE NOT. THE US, HAVING NO DEEPWATER PORTS ON THE EAST COAST, MUST GIVE ACCESS TO THESE OLDER AND SMALLER TANKERS. HE STATED THAT THE CREWS ON THESE OLDER TANKERS ARE ALSO SUB-STANDARD. THUS, DR. BREUER CONCLUDES THAT THE POLLUTION PROBLEM REPRESENTED BY THESE TANKERS IS UNIQUE TO THE UNITED STATES, SINCE OTHER COUNTRIES ARE SERVED BY NEWER TANKERS.

(2) AS A SECOND GENERAL COMMENT, DR. BREUER STRONGLY OBJECTS TO MAKING THESE NEW STANDARDS APPLICABLE TO FOREIGN (NON-US) SHIPS. DR. BREUER ARGUES THAT, IF ALL COUNTRIES ARE PERMITTED TO DRAW UP SPECIAL, MORE STRINGENT THAN NORMAL LIMITED OFFICIAL USE

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REGULATIONS, CHAOTIC CONDITIONS DRASTICALLY LIMITING THE FREE FLOW OF SHIPPING WILL RESULT.

(3) DOUBLE BOTTOMS: AS INDICATED IN REFTTEL (B), DR. BREUER OPPOSES DOUBLE BOTTOMS. HIS EXPERTS SAID THIS SUBJECT HAD BEEN DISCUSSED WITH IMCO SEVERAL YEARS AGO AND IT HAD BEEN CONCLUDED THAT DOUBLE BOTTOMS WERE NOT DESIRABLE. THEY ARGUED THAT NONE OF THE OIL SPILLS IN RECENT YEARS COULD HAVE BEEN AVOIDED HAD THE SHIPS HAD DOUBLE BOTTOMS, SINCE MOST WERE CAUSED EITHER BY RUNNING AGROUND ON ROCKS WHICH WOULD HAVE PIERCED BOTH BOTTOMS OR FROM OTHER ACCIDENTS FOR WHICH DOUBLE BOTTOMS ARE IRRELEVANT. THEY ALSO SAY THAT DOUBLE BOTTOMS MAKE TWO POTENTIAL COMBUSTIONS CHAMBERS INSTEAD OF ONE. FINALLY, THEY ARGUED THAT THIS NEW DANGERS, COUPLED WITH HIGHER COST AND DIMINISHED DISPLACEMENT FAR OUTWEIGH ANY POSSIBLE ADVANTAGES TO DOUBLE BOTTOMS.

(4) SEGREGATED BALLAST: DR. BREUER AGREED THAT SEGREGATED BALLAST IS A DESIRABLE REQUIREMENT, BUT FEELS IT SHOULD BE

IMPOSED ONLY ON NEW TANKERS. HE DOES NOT BELIEVE IT WILL BE
COMMERCIALY PROFITABLE FOR EXISTING TANKERS TO CONVERT, AT
LEAST UNTIL THE FIVE YEAR WAITING PERIOD IS NEARLY UP.

(5) INERT GAS SYSTEMS: THIS IS ALSO ACCEPTABLE, BUT
AGAIN WITH THE RESERVATION THAT IT BE APPLICABLE ONLY TO NEW
TANKERS. DR. BREUER'S EXPERT VOICED DOUBT THAT AN INERT GAS
SYSTEM COULD BE MAINTAINED FOR MORE THAN 5 TO 10 YEARS,
AND THOUGHT AN INOPERATIVE SYSTEM WOULD BE WORSE THAN NONE AT
ALL.

(6) RADAR AND STEERING STANDARDS: IN PRINCIPLE,
THERE IS NO DISAGREEMENT WITH THE DESIRABILITY OF THESE.

(7) DR. BREUER AGREES COMPLETELY THAT A STRONG
ENFORCEMENT PROGRAM IS ESSENTIAL. HE ALSO AGREES THAT
INSPECTION AND CERTIFICATION SYSTEMS NEED TO BE IMPROVED AND
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ENDORSES A SPECIAL CONVENTION ON THIS SUBJECT LATER IN 19-7.

(C) CREW STANDARDS AND TRAINING: DR. BREUER THINKS THAT SUB-
STANDARD CREWS ARE IN FACT THE CRUX OF MARINE OIL POLLUTION
PROBLEM. THEREFORE, THEY AGREE WITH ANY STEPS WHICH THE US
MAY WISH TO TAKE WITH RESPECT TO STANDARDS OF TRAINING FOR US
CREWS. HE ALSO SUPPORTS US PROPOSALS TO ACCELERATE THE INTER-
NATIONAL CONFERENCE TO BE HELD IN 1978 ON THIS SUBJECT. HOWEVER,
HE DOES NOT AGREE THAT STANDARDS SHOULD BE IMPOSED UNILATERALLY
BY THE US IF THE RESULTS OF THE CONFERENCE DO NOT MEET US
DEMANDS. DR. BREUER WAS PLEASED TO NOTE IN THIS LATTER REGARD
THAT THE PRESIDENT'S MESSAGE INDICATES ANY US ACTION WOULD BE
APPLICABLE ONLY TO SHIPS CALLING AT US PORTS, RATHER THAN TO
SHIPS TRANSITTING US WATERS.

(D) TANKER BOARDING PROGRAM: DR. BREUER HAS NO PROBLEM WITH
THIS, FEELING IT IS PURELY A NATIONAL MATTER.

(E) OIL POLLUTION LIABILITY: DR. BREUER SAID HE UNDERSTANDS
THAT THE US FINDS THE AMOUNTS OF LIABILITY PROVIDED FOR IN THE
CONVENTIONS OF 1969 AND 1971 ARE INADEQUATE. NONETHELESS, HE
AGAIN ARGUED THAT THIS IS NOT A SUBJECT WHICH SHOULD BE HANDLED
UNILATERALLY. HE ALSO NOTED THAT, IF DONE UNILATERALLY, INSURANCE
AND HENCE TRANSPORTATION COSTS WOULD GO UP FOR SHIPS CALLING ON
AMERICAN PORTS.

(F) ABILITY TO RESPOND: DR. BREUER GAVE HIS FULL APPROVAL
TO THIS PROVISION BUT DOUBTS THAT THE TECHNOLOGY NECESSARY
TO MEET THE GOAL IS OR WILL BE AVAILABLE IN THE FORESEEABLE
FUTURE.

3. COMMENT: AS WILL BE SEEN FROM ABOVE, DR. BREUER RETURNED
REPEATEDLY TO HIS ARGUMENT THAT UNILATERAL US ACTION ON MARINE
OIL POLLUTION WILL CREATE CHAOTIC CONDITIONS IN WORLD SHIPPING.
WE BELIEVE THE FRG WILL STRESS THIS POINT IN INTERNATIONAL
MEETINGS.

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4. REFTEL (D) ASKED WHETHER CONSULATE COULD PROVIDE AN
OBSERVER AT ENFORCEMENT MEETING ON 1968 NORTH SEA AGREEMENT
TO BE HELD IN HAMBURG APRIL 20 AND 21. REYNDERS CANNOT BE
AVAILABLE ON THOSE DATES BUT WE WILL PROVIDE AN OBSERVER.
KISELYAK

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Message Attributes

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